

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST
LITIGATION

Case No. 18-cv-1776-JRT-HB

This Document Relates to:

All Actions

JOINT STIPULATION TO AMEND THE PRETRIAL SCHEDULING ORDER

Counsel for the undersigned Defendants; Direct Purchaser Plaintiffs (“DPPs”), Commercial and Institutional Indirect Purchaser Plaintiffs (“CIIPPs”), and Consumer Indirect Purchase Plaintiffs (“CIPPs”) (together, “Class Plaintiffs”) (collectively the “Parties”) in the above-captioned consolidated action stipulate and hereby jointly request, pursuant to Federal Rule of Civil Procedure 16(b)(4) and D. Minn. L.R. 16.3, that the Court continue the existing deadlines as set forth in this stipulation.

After having submitted competing scheduling positions to the Court on June 7, 2022 (Dkt. No. 1389) (“June 7 letter”), the Parties continued to meet-and-confer and have now reached agreement on a proposed schedule to extend both the class certification briefing schedule and fact discovery close that obviates the need for the Court to address the Parties’ June 7 letter.¹

The Parties reached this agreement in consideration of the remaining work to be done to meet the case milestones set forth by the Court, and, in particular, the inability to schedule expert and fact depositions in sufficient time to meet the deadlines set forth in this Court’s existing Scheduling Order.

¹ Every party with an interest in the class certification-related deadlines—i.e., every deadline addressed herein except the deadline for completing fact discovery—agrees to the proposed schedule submitted herewith. The Direct Action Plaintiffs have yet to confirm their assent to the sole deadline impacting them (for completion of fact discovery) but based on the position they articulated in the June 7 letter, the Parties do not believe there is a dispute among any party pertaining to that deadline either. In any event, because the parties with an interest in the class certification-related deadlines are now in agreement on an extension as to those deadlines and a corresponding extension as to the fact-discovery deadline, the Parties respectfully submit that the class-certification deadlines should be adjourned now.

Event	Current Deadlines	Proposed Deadlines
Defendants to File and Serve Daubert Motions to Exclude Expert Opinion Pertaining to Class Certification	June 30, 2022	Aug. 24, 2022
Defendants to File and Serve Memorandum in Opposition to Class Certification with Supporting Documents and Expert Reports	June 30, 2022	Aug. 24, 2022
Plaintiffs to File and Serve Daubert Motions to Exclude Expert Opinion Pertaining to Class Certification and Memoranda in Response to Daubert Motions	Aug. 29, 2022	Nov. 18, 2022
Plaintiffs to File and Serve Reply and Rebuttal Expert Report to Motion for Class Certification	Aug. 29, 2022	Nov. 18, 2022
Completion of Fact Discovery	Sept. 1, 2022	Oct. 31, 2022
Defendant to File and Serve Memoranda in Response to any Daubert Motions filed by Plaintiffs and their Reply ISO their Daubert Motions	Oct. 13, 2022	Jan. 6, 2023
Plaintiffs to File and Serve Reply Memoranda ISO Their Daubert Motions	Nov. 14, 2022	Feb. 6, 2023

Because the existing case schedule impacts the scheduling of expert depositions currently scheduled to occur over the next two weeks and that the Parties agree should be adjourned, including a deposition scheduled to commence on June 17, 2022, the Parties respectfully request that the Court promptly adopt the agreed-upon and jointly stipulated schedule outlined above.

DATED this 15th day of June 2022

Respectfully submitted,

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